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## NOTICE OF ALLOWANCE AND FEE(S) DUE

30010 7590 04/30/2004

AUZVILLE JACKSON, JR.  
8652 RIO GRANDE ROAD  
RICHMOND, VA 23229

[REDACTED] EXAMINER

PATEL, DHIRUBHAI R

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2831

DATE MAILED: 04/30/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,122	11/26/2003	Thomas J. Gretz	1670(ARL)	1353

TITLE OF INVENTION: FAN RATED JUNCTION BOX ASSEMBLY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$0	\$665	07/30/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

## PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail**

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

30010 7590 04/30/2004

AUZVILLE JACKSON, JR.  
8652 RIO GRANDE ROAD  
RICHMOND, VA 23229

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**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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nonprovisional	YES	\$665	\$0	\$665	07/30/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
PATEL, DHIRUBHAI R	2831	174-058000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent);  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

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 Publication Fee  
 Advance Order - # of Copies \_\_\_\_\_

- A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)	(Date)
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NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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30010	7590	04/30/2004	EXAMINER	
AUZVILLE JACKSON, JR. 8652 RIO GRANDE ROAD RICHMOND, VA 23229			PATEL, DHIRUBHAI R	
		ART UNIT		PAPER NUMBER
		2831		

DATE MAILED: 04/30/2004

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/723,122	GRETZ, THOMAS J.	
	Examiner DHIRU R PATEL	Art Unit 2831	<i>pw</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 11/26/03, 4/26/04.
2.  The allowed claim(s) is/are 1-20.
3.  The drawings filed on 26 November 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review ( PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 0404
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 0404.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

*Dhiru R Patel*  
DHIRU R PATEL

Primary Examiner  
Art Unit: 2831

*4/27/04*

Art Unit: 2831

### **Part III DETAILED ACTION**

#### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Auzville Jackson on 4/26/2004.

2. The application has been amended as follows:

In the Claims:

- 1 (Amended). A fan rated junction box assembly comprising:
  - a top wall having a top surface, a bottom surface, and apertures therein;
  - a plurality of side walls extending from said bottom surface of said top wall and defining an open cavity therein, said side walls terminating in a planar bottom rim,
  - each of said side walls including an outer surface;
  - a portion of at least one of said side walls bent at a right angle into said cavity and forming a ledge above said bottom rim;
  - a threaded bore in said ledge, said bore in said ledge defining a first screw holder;
  - a first screw threadedly engaged in said first screw holder;
  - opposing slots in two of said side walls located in such a manner that a line centered through said slots divides said bottom rim into symmetrical halves;

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two right angle support members having a first and a second leg;  
said first leg secured to said outer surface of two of said side walls;  
said second leg extending through said slots and having at least one threaded bore  
therein, said threaded bore in said second leg defining a second screw holder; and  
a second screw threadedly engaged in said second screw holder.

In claim 10 line 2, change "side wall" to -- side walls-.

In claim 14 line 1, change 1 to-- 13--.

16 (Amended). A method of mounting a ceiling-mounted electrical device to an overhead structure including the steps of providing a fan-rated junction box having a top wall with apertures therein, a plurality of side walls each having an outer surface, an open cavity defined by said top wall and said side walls, a bottom rim, a ledge formed by a portion of at least one of said side walls bent at a right angle into said cavity, first threaded screw holders in said ledge, first screws threadedly engaged in said first screw holders, slots in two of said side walls, two right angle support members each having a first leg secured to said outer surface of two of said side walls and a second leg extending through said slots, second threaded screw holders in said second legs, a second screw threadedly engaged in said second screw holder; locating a suitable overhead support for said fan-rated junction box; placing said fan-rated junction box against said overhead support;

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drilling pilot holes into said overhead support at locations corresponding to said apertures in said top wall; removing said first screws from said first screw holders in said ledge; repositioning said first screws to said apertures in said top wall; driving said first screws through said apertures in said top wall and completely into said overhead support to secure said box to said overhead support; removing said second screws from said second screw holders; providing a ceiling-mounted electrical device having a mounting ring with apertures and wiring leads therein; placing said mounting ring against said bottom rim such that said apertures in said mounting ring are in alignment with said threaded [bores] holders in said second legs; driving said second screws through said apertures in said mounting ring and partially into said second screw holders to temporarily hold said electrical device to said box; completing electrical wiring between supply wiring and said wiring leads to said electrical device; and driving said second screws completely into said second screw holders to secure said electrical device to said box.

17 (Amended). A fan rated junction box assembly comprising:  
a top wall; a plurality of side walls extending from said top wall and terminating in a bottom rim defining a plane; a portion of at least one of said side walls bent at a right angle and forming a ledge above said bottom rim; a threaded bore in said ledge, said threaded bore in said ledge defining a first screw holder; a first screw temporarily engaged in said first screw holder; opposing slots in two of said side walls;

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two right angle support members having a first and a second leg; said first leg secured to one of said side walls; said second leg extending through said slots and having at least one threaded bore therein, said threaded bore in said second leg defining a second screw holder; a second screw temporarily engaged in said second screw holder; and said first and said second screws completely enclosed within said top wall, said side walls, and said plane of said bottom rim.

In claim 18 line 2, change "wall" to --walls--.

In claim 19 line 3, change "wall" to --walls--.

***Allowable Subject Matter***

3: The following is a statement of reasons for the indication of allowable subject matter: The primary reasons for the indication of the allowability of claims 1-20 are the inclusion therein, in combination as currently claimed, of the limitation of two right angle support members having a first and a second leg; said first leg secured to said outer surface of two of said side walls; said second leg extending through said slots and having at least one threaded bore therein (for claims 1-15), two right angle support members having a first and a second leg; said first leg secured to one of said side walls; said second leg extending through said slots and having at least one threaded bore therein (for claims 17-120), and claim 16 is method counter part of product claim 1.

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The previously listed limitations are neither disclosed nor taught by the prior art of record, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Other prior art cited***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kerr, Reiker, McEwen, Gretz, Gretz, Gretz, and Gretz disclose a box similar to applicant's claimed invention.

**Contact information**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is (571) 272 - 1983. The examiner can normally be reached on Mondays- Thursdays from 6:30 am to 4:00 pm. The fax number for this Group is 703-872-9306. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2800 EXT 31.

Dhiru Patel  
Primary Examiner  
Group Art Unit 2831  
April 29, 2004

*Dhiru R Patel*  
*Primary Examiner*  
*4/29/04.*